IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS BROWNSVILLE DIVISION

	§	United Season Inc.
MICHAEL B. SCHMIDT, Trustee	§	United States District Court Southern District of Texas ENTERED
of the Estate of Border Anesthesia	§	- THEN
Services, P.C., and	§	APR - 1 2011
REGINALD BERRY,	§	
Plaintiffs,	§	David J. Bradley, Clerk of Court
		a soul!
SYLVIA BERRY,	§ §	
Intervenor Plaintiff,	§	
	§	
v.	% % %	CIVIL ACTION NO. B-10-20
	§	
DOUGLAS MCKEE, Individually		
and d/b/a DOUGLAS C. MCKEE,	§	
CRNA, P.C., VIJI ROBERTS,	§	
Individually and d/b/a VIJI	§	
ROBERTS ANESTHESIA CRNA,	§	
P.C., MARY WEATHERS, MARTIN	§	
POWERS, Individually and d/b/a	§	
POWERS ANESTHESIA SERVICES,	§	
P.C., WILLIAM T. GRADY, JR.,	§	
WILLIAM WRENCH, EVELYN	§	
WILLIAMS, COLUMBIA VALLEY	§	
HEALTHCARE SYSTEM, LP, d/b/a	§	
VALLEY REGIONAL MEDICAL	§	
CENTER, and RIO GRANDE	§	
ANESTHESIOLOGISTS, P.A.,	§	
Defendants.	§	

ORDER

BE IT REMEMBERED, that on April _____, 2011, the Court **GRANTED** the parties' Joint Motion to Modify Scheduling Order, Dkt. No. 22.

The reference to the bankruptcy court in this case was withdrawn on February 22, 2010. Dkt. No. 4. The current Scheduling Order was entered on May 20, 2010. Dkt. No. 8. On May 26, 2010, the Court granted the Motion to Intervene and the Intervenor Complaint was filed. Dkt. Nos. 9, 10. The Parties request the Court modify the scheduling order because four Defendants have recently

made their first appearance in this case and the other parties are involved in discovery disputes leading Plaintiffs to file a Motion to Compel. Because the new Defendants need time to meet the deadlines and Plaintiffs and the other Defendants need the Court to rule on the Motion to Compel, all parties request an eight month extension to all deadlines. This is the first request to modify the scheduling order.

Based on the foregoing, the Court finds that the parties have demonstrated "good cause" to extend their deadlines. Fed. R. Civ. P. 16(b). The Court **GRANTS** the parties' Joint Motion to Modify Scheduling Order, Dkt. No. 22, and **AMENDS** the scheduling order in this case as follows:

New parties must be joined by:

4/29/2011

Plaintiff and Consolidated Plaintiffs/Cross-Defendants

experts will be named with a report furnished by:

8/31/2011

Defendants will designate responsive exports and provide reports by:

<u>10/31/2011</u>

Discovery must be completed by:

12/31/2011

Counsel may agree to continue discovery beyond the deadline, but there will be no intervention by the Court. No continuance will be granted because of information acquired in post-deadline discovery.

Parties to Mediate the case by:

1/31/2012

Dispositive Motions will be filed by:

1/31/2012

Joint Pretrial Order is due by:

<u>4/12/2012</u>

Docket Call and Final Pretrial Conference is set for 1:30 p.m. on:

<u>4/24/2012</u>

Jury Selection is set for 9:00 a.m. on:

5/1/2012

DONE at Brownsville, Texas, on April 4

Hilda G. Tagle

United States District Judge